

## SECTION II—REMARKS

### Notice of Non-Compliant Amendment under 37 C.F.R. § 1.121

A Notice of Non-Compliant Amendment under 37 C.F.R. § 1.121 was mailed from the U.S. Patent and Trademark Office on December 11, 2007. The notice stated that, in reference to Applicants' amendment filed May 3, 2007, "Line 6 of claim 4 contains the term 'the' with a strikethrough immediately following another 'the' which is not struck through," and that it is not clear whether one or both of the terms "the" are to be removed.

Applicants' representative spoke with Supervisory Patent Examiner Alford Kindred on December 28, 2007 seeking clarification regarding the confusion over claim 4 as there does not seem to be any occurrence of the term "'the' with a strikethrough immediately followed by another 'the' which is not struck through." Supervisory Patent Examiner Kindred stated that upon a cursory review of claim 4, there seemed to be no problem with the claim wording and suggested that Applicants file a response explaining the situation. Supervisory Patent Examiner Kindred further stated that he would call Applicants' representative if a problem was detected upon a more careful review of the claims.

Applicants therefore respectfully submit an exact copy of the claim listing as filed with the amendment on May 3, 2007. No new matter has been introduced. For the sake of clarification, claim 4 as amended is intended to read as follows:

The method of claim 3, further comprising:  
attempting to find a second preserved register in the list of  
previously used preserved registers and currently allocated  
to a tentative live range of a second operand; and  
**reallocating the second preserved register to the operand for  
its live range** and reserving a different preserved register to  
the second operand for its tentative live range when the

attempt to find the second preserved register allocated to the second operand for its tentative live range is successful.

Accordingly, Applicants respectfully request the Examiner to withdraw the notice of a Non-compliant Amendment under 37 C.F.R. § 1.121 and examine the amended claims in view of the remarks filed on May 3, 2007.

## CONCLUSION

Given the above remarks, all claims pending in the application are in condition for allowance. If the undersigned attorney has overlooked subject matter in any of the cited references that is relevant to allowance of the claims, the Examiner is requested to specifically point out where such subject matter may be found. Further, if there are any informalities or questions that can be addressed via telephone, the Examiner is encouraged to contact the undersigned attorney at (503) 439-8778.

### **Charge Deposit Account**

Please charge our Deposit Account No. 02-2666 for any additional fee(s) that may be due in this matter, and please credit the same deposit account for any overpayment.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

/Gregory D. Caldwell/  
Gregory D. Caldwell  
Registration No. 39,926  
Attorney for Applicants

Date: January 4, 2008

Blakely, Sokoloff, Taylor & Zafman LLP  
1279 Oakmead Parkway  
Sunnyvale, CA 94085-4040  
Telephone: (503) 439-8778  
Facsimile: (503) 439-6073